

Remarks

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-5 are pending in this application.

Claims 1-5 stand rejected under 35 U.S. C. 103(a) as being unpatentable over Japan 2001-038791 in view of Jaeger (US 4075392) and Revankar (US 5879743).

It is respectfully submitted that claim 1 is thought to define subject matter not made obvious by this combination of references.

More particularly, claim 1 requires that the cast iron part be decarburized to a depth sufficient to prevent the boundary layer of the wear resistant coating from having its melting point lowered to the extent that the layer flows during fusing of the coating to the cast iron part. It is well established that in order to establish a prima-facie case of obviousness, there must be some suggestion or motivation to modify the reference or combine reference teachings. *In re Lee*, 61 USPQ2d 1430 (Fed. Cir. 2002); *In re Jones*, 958 F.2d 347, 21 USPQ.2d 1941 (Fed Cir. 1992); *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ.2d 1596, 1598-99 (Fed Cir. 1998) [at 1943]; *In re Fritch*, 922 F.2d 1260, 23 USPQ.2d 1780 (Fed Cir 1992). The problem solved by the present invention is not one recognized by the prior art. Thus the required suggestion to combine the references is not present. It is respectfully submitted that one skilled in the art would not have been led to combine the teachings of the Japanese reference with that of Jaeger to decarburize the cast iron part to overcome the melting problem encountered by the applicant.

Claims 2-5 depend from claim 1 and are likewise thought allowable.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Reply to Office Action of 29 April 2005

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Respectfully,


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